

EXECUTIVE COUNCIL OF IOWA AGENDA

- Teleconference Only -

Conference Call Phone Number: (866) 685-1580
Conference Code Pin: 0009990993

APRIL 6, 2020

1. Approval of minutes from the meeting held on March 2, 2020
2. Iowa Code §7D.10 – Page 1
TAB # 1
3. Special Counsel – Page 1
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4. Emergency Allocations – Pages 1-3
5. Payment of Cost Items – Pages 3-9
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2. Iowa Code §7D.10

- A. Attorney General's office request Payment for Expenses under Iowa Code §7D.10 in the amount of \$6,400.00.

TAB # 1

3. Special Counsel

- A. The Department of Justice, Attorney General's Office, requests retention of special counsel to represent Iowa PBS pursuant to Iowa Code section 13.7 to provide counsel on highly specialized FCC matters.

Firm: Gray Miller Persh
1200 New Hampshire Avenue N.W.
Suite 410
Washington, D.C. 20036-3802

Rate: \$437 Per Hour for an initial term of three years with three one-year renewal options subject to a \$5.00 per hour rate increase per year.

TAB # 2

4. Emergency Allocations

- A. Department of Public Safety is requesting a supplemental emergency allocation in the amount \$338.24. This brings the total allocation amount to \$8,036.78. On June 11, 2019 State Patrol Vehicle #331 was damaged by a deer in Linn County. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation closed.

- B. Department of Public Safety is requesting a supplemental emergency allocation in the amount \$54.95. This brings the total allocation amount to \$3,254.57. On October 16, 2019 State Patrol Vehicle #235 was damaged by a raccoon. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation closed.

- C. Department of Public Safety is requesting a supplemental emergency allocation in the amount \$734.63. This brings the total allocation amount to \$5,778.00. On October 28, 2019 State Patrol Vehicle #425 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation closed.

- D. Department of Public Safety is requesting an emergency allocation in the amount \$4,079.04. On January 26, 2020 State Patrol Vehicle #273 was damaged by snow and ice. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation, subject to an audit of actual invoices.

- E. Department of Public Safety is requesting an emergency allocation in the amount \$5,240.55. On January 31, 2020 State Patrol Vehicle #488 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation closed.

- F. Department of Administrative Services is requesting an emergency allocation in the amount \$3,483.35. On September 9, 2019 State Vehicle #2761 was damaged by a coyote. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation closed.

- G. Department of Administrative Services is requesting a supplemental emergency allocation in the amount \$115.83. This brings the total allocation amount to \$2,862.08. On November 11, 2019 Vehicle #105698 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation closed.

- H. Department of Natural Resources is requesting a supplemental emergency allocation in the amount \$1,607.74. This brings the total allocation amount to \$88,215.64. On June 19, 2018 heavy rains and flooding caused damage at Dolliver Memorial State Park in Webster County. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation, subject to an audit of actual invoices.

- I. Department of Natural Resources is requesting a supplemental emergency allocation in the amount \$154.15. This brings the total allocation amount to \$4,730.23. On August 18, 2019 storms caused damage to the lift station control panel at Viking Lake State Park. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation, subject to an audit of actual invoices.

- J. Department of Natural Resources is requesting an emergency allocation in the amount \$29,986.35. On September 12, 2019 flash flooding damaged roads and campgrounds at Yellow River State Park. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation, subject to an audit of actual invoices.

- K. Iowa Communications Network is requesting a supplemental emergency allocation in the amount \$7,886.20. This will increase the total allocation to \$20,265.28. On December 11, 2018 ICN sustained cable damage due to erosion at two locations along Highway 30 in Boone County. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included.

- L. Iowa Communications Network is requesting a supplemental emergency allocation in the amount \$1,540.14. This will increase the total allocation to \$24,369.29. On July 1, 2019 ICN sustained cable damage due to excessive erosion along Highway 18 in Chickasaw County. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included.

5. Payment of Cost Items

- A. Iowa Communications Network.....\$28,245.46
On September 18, 2019 ICN sustained cable damage due excessive erosion along 230th Street in Madison County. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$1,405.47 will be reverted and this allocation closed.

- B. Iowa Communications Network.....\$16,949.52
On May 13, 2019 ICN sustained cable damage due excessive erosion along Interstate 80 in Madison County. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$1,200.98 will be reverted and this allocation closed.

- C. Department of Public Safety.....\$9,182.88
On October 21, 2019 State Patrol Vehicle #89 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends payment, this represents full and final payment and this allocation closed.

- D. Department of Public Safety.....\$9,169.87
On December 2, 2019 Vehicle #400 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends payment, this represents full and final payment and this allocation closed.

- E. Department of Human Services.....\$34,562.01
On July 19, 2018 vehicles #2540, #2005 and #1438 were damaged by a tornado in Marshalltown. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$376.25 will be reverted and this allocation closed.

- F. Department of Human Services.....\$9,916.00
On March 11, 2019 ice buildup caused roof damage and water infiltration into the Superintendent's office at the Cherokee Mental Health Institute. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends payment, this represents full and final payment and this allocation closed.

- G. Patterson Law Firm L.L.P.....\$14.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Dena Nelson v. Glenwood Resource Center, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- H. Patterson Law Firm L.L.P.....\$154.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Richard Adrian v. University of Iowa, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- I. Patterson Law Firm L.L.P.....\$1,728.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Belifia “Lou” Parks vs. Iowa Department of Transportation, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund

- J. Patterson Law Firm L.L.P.....\$140.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Donald E. Dietz v. Iowa Department of Transportation, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- K. Patterson Law Firm L.L.P.....\$486.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Jason Loving v. Iowa Department of Transportation, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- L. Patterson Law Firm L.L.P.....\$60.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Lori Deere vs. Iowa Department of Transportation, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- M. Patterson Law Firm L.L.P.....\$84.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Robert James Conrad vs. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- N. Patterson Law Firm L.L.P.....\$154.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Cherie Kreger v. University of Northern Iowa, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- O. Patterson Law Firm L.L.P.....\$154.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Rory Aschbrenner vs. Iowa State University, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- P. Patterson Law Firm L.L.P.....\$1,042.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Melody Colvin v. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- Q. Patterson Law Firm L.L.P.....\$294.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Larry Opal v. Clarinda Correctional Facility, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- R. Patterson Law Firm L.L.P.....\$252.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Mary Kimball v. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- S. Patterson Law Firm L.L.P.....\$280.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Debra Breckenridge v. Iowa Judicial Branch, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- T. Richard J. Bennett, Sr.....\$2,154.00
PO Box 65666
West Des Moines, IA 50265
Special Counsel for the Criminal Appeals Division of the Iowa Attorney General's Office

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Attorney General's Office's Forfeiture Fund.

- U. Gray Miller Persh, LLP.....\$218.50
2233 Wisconsin Avenue NW
Suite 226
Washington, D.C. 20007
Iowa Public Television

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the funds of Iowa Public Television.

- V. Gray Miller Persh, LLP.....\$1,660.60
2233 Wisconsin Avenue NW
Suite 226
Washington, D.C. 20007
Iowa Public Television

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the funds of Iowa Public Television.

- W. Wandro & Associates, P.C.\$6,525.00
2501 Grand Avenue, Suite B
Des Moines, IA 50312
Unclaimed Property Probate Matters

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Unclaimed Property Fund.

- X. Davis Brown Law Firm.....\$2,578.00
215 10th Street, Suite 1300
Des Moines, IA 50309-3993
Unclaimed Property Probate Matters & Employee Retirement Income Security Act (ERISA)

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Unclaimed Property Fund.

Y. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$188.70
The Davis Brown Tower
215 10th Street, Suite 1300
Des Moines, IA 50309-3993
Legal Services to state agencies on issues related to the visa status of prospective state employees

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Iowa Department of Justice.

Z. Department of Natural Resources\$2,419.40
Drainage taxes for the following counties:

Clinton	\$1,853.00
Humboldt	\$566.40

Michael J. Moss, Assistant Attorney General, has reviewed this request and recommends payment.

6. Information Items

A. On February 17, 2020 the Executive Council approved the following Emergency Allocation:

Department of Public Safety is requesting an emergency allocation in the amount \$3,715.60. On November 18, 2019 State Patrol Vehicle #50 was damaged by a deer. Request is to cover repair costs.

The Department of Public Safety has made the determination to not repair the damaged vehicle. The State Auditor's Office has reviewed this request and recommends closing the allocation and reverting the funds back to the State Treasury.